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6 Attorneys for Defendant

7 IN THE UNITED STATES DISTRICT COURT
8
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 RUSSELL W. WESTFALL, JR.,

11 Plaintiff,

12 v.

13 JO ANNE B. BARNHART,
14 Commissioner of
15 Social Security,

16 Defendant.

17
18 CASE NO. 2:05-CV-0180-DAD

19 STIPULATION AND ORDER
20 SETTLING ATTORNEY'S FEES
21 PURSUANT TO THE EQUAL
22 ACCESS TO JUSTICE ACT

23 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
24 subject to the approval of the Court, that counsel for Plaintiff be awarded attorney's fees under the
25 Equal Access to Justice Act (EAJA) in the amount of FOUR THOUSAND TWO HUNDRED AND
26 00/100 DOLLARS (\$4,200.00), said amount representing compensation for legal services rendered
27 on behalf of Plaintiff by her attorney in accordance with 28 U.S.C. § 2412(d).

28 This stipulation constitutes a compromise settlement of counsel for Plaintiff's request for all
fees under the EAJA, and does not constitute an admission of liability on the part of Defendant under
the EAJA. Payment in the amount of FOUR THOUSAND TWO HUNDRED AND 00/100

1 DOLLARS (\$4,200.00) in fees, shall constitute a complete release from and bar to any and all claims
2 counsel for Plaintiff may have relating to EAJA fees in connection with this action, but such award
3 will not prejudice any future request for attorney's fees under the Social Security Act, 42 U.S.C. §
4 406(b).

5 The parties further stipulate that counsel for Plaintiff will provide a facsimile of this
6 stipulation bearing counsel's signature for retention in Defendant's case file, and hereby authorizes
7 counsel for Defendant to file this document in PDF format under the latter's Electronic Case Filing
8 password, pursuant to Local Rule 7-131.

9
10 DATED: February 2, 2006

/s/ Ann M. Cerney
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12 ANN M. CERNEY

13 Attorney for Plaintiff
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15 DATED: February 2, 2006

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17 McGREGOR W. SCOTT
18 United States Attorney
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20 By: /s/ Bobbie J. Montoya
21 BOBBIE J. MONTOYA
22 Assistant U. S. Attorney
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24 Attorneys for Defendant
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26 OF COUNSEL
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28 LUCILLE GONZALES MEIS

Chief Counsel, Region IX

KATHERINE R. LOO
Assistant Regional Counsel

U. S. Social Security Administration

Re: RUSSELL W. WESTFALL, JR. v. JO ANNE B. BARNHART, Case No. 2:05-CV-00180-DAD, Stipulation and Order
Settling Attorney's Fees Pursuant to the Equal Access to Justice Act

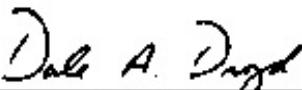
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ORDER

6 **Upon stipulation of the parties, Counsel for Plaintiff in CASE NO. 2:05-CV-00180-DAD,**
7 **RUSSELL W. WESTFALL, JR. v. Jo Anne B. Barnhart, is hereby awarded attorney fees in the**
8 **amount of \$4,200.00, pursuant to the Equal Access to Justice Act.**
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10 **APPROVED AND SO ORDERED.**

11 **DATED: February 3, 2006.**

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14 DALE A. DROZD
15 UNITED STATES MAGISTRATE JUDGE
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